Secta. II-27—100,000—21-8-48.

Development (1948) Department.

No. SERIES.

G.O. No. 3352

Dated 21st June 1948

[Despatch Abstract.]

Acts - Workmen's Compensation Act, 1923 - Working - Report for the year 1947 - Recorded.

GOVERNMENT OF MADRAS

(Abstract)

ACTS - Workmen's Compensation Act, 1923 - Working Report for the year 1947 - Recorded.

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Development Department

G.O.No. 3352, Dated 21st June 1948
Read the following:--

Letter From R.M. Sundaram, Esq., O.B.E., I.C.S., Commissioner for Workmen's Compensation, Madras, to the Secretary to Government, Development Department, dated the 1st May 1948, No.C-1-3899/47.

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/Workmen's Compensation Act, 1923-Working-Report for the year-1947./

I have the honour to submit the report on the working of the Workmen's Compensation Act, 1923, for the year 1947.

The office of the Commissioner for Workmen's Compensation, Madras, was held by Mr. C.K. Vijayaraghavan, I.C.S. from 1st January to 24th March 1947, by Sri Rao Sahib C.G. Reddi from 25th March to 16th July 1947 and thereafter by me. Sri A. Uttandarama Pillai, B.A.,B.L., Assistant Commissioner of Labour, Madras, held the office of the Additional Commissioner for Workmen's Compensation, Madras throughout the year.

There were 136 cases pending at the commencement of the year. Four hundred and thirty-five cases were filled and 8 cases were transferred to this Court for disposal by other Commissioners making a total of 443 as against 519 during the previous year. Of these 579 cases, 408 cases were disposed of during the year. One hundred and seventy-one cases were pending at the close of the year of which 79 cases have since been disposed of.

Details of proceedings-(i) Award of compensation under section 10.-

Two cases relating to fatal accidents and two relating to permanent disablement were pending at the commencement of the year. Five cases relating to fatal accidents, 7 cases relating to permanent disablement and 1 case relating to temporary disablement were filed during the year. Of these 17 cases, 8 were disposed of and the remaining 9 were pending at the close of the year.

(ii) Distribution of compensation under section 8(1). There were 80 cases pending at the commencement of the year. One hundred and twenty-one cases were filed during the year and 8 cases were transferred to this Court under section 21(2) of the Act. One hundred and ten cases were disposed of during the year and of the remaining 99 cases, 24 have since been disposed of. Of the 110 cases disposed of during the year, 3 cases were transferred to other Commissioners for disposal Compensation was distributed to dependants of deceased workmen in 102 cases and the amounts deposited by employers were refunded to them in 5 cases during the year.

Compensation in favour of workmen and persons under legal disability.- There were 5 cases pending at the commencement of the year Compensation was deposited in 8 cases during the year. Eleven cases were disposed of during the year. One of the two pending cases has since been disposed of.

(iii) Deposits under section 8(2).-There were 3 cases pending at the commencement of the year. Thirty cases were filed during the year. The compensation deposited was disbursed in 27 cases during the year. The remaining 6 cases have since been disposed of.

(iv) Registration of agreements under section 28.- Forty-four agreements were pending registration at the commencement of the year. Two hundred and twenty nine cases relating to permanent disablement and 34 cases relating to temporary disablement were filed during the year, ...

year, as against 221 and 42, respectively, filed during the previous year. Two hundred and fifty-two agreements were registered during the year and of the 55 remaining agreements, 53 have since been registered. The total amount of compensation paid to workmen in respect of 219 agreements relating to permanent disablement registered during the year was Rs.88,881-12-9 as against Rs.87,813-11-6 in respect of 231 agreements registered during the previous year.

(v) Recovery under section 31.- No case was filed during the year.

(vi) Reference under section 19.- Reference from employers for Commissioner's opinion as to their liability to pay compensation under the Act, etc. were received and disposed of in 17 cases as against 6 received during the previous year.

(vii) Inquiry under the Workmen's Compensation (Transfer of Money) Rules, 1935.-

Five cases were pending at the commencement of the year. Compensation amounting to Rs.55,942-1-3 in respect of ~~cases transferred to this Court in~~ 31 cases was transferred to this Court during the year as against Rs.5,616-10-11 in respect of 6 cases transferred during the previous year. Twenty-one cases were disposed of during the year. Of the remaining 15 cases, 6 cases have since been disposed of.

(viii) Returns under section 16.- Returns were called for from 5,379 establishments. The number of returns received was 4,037. The cases of defaulters will be scrutinized and action taken against them if necessary. The total number of accidents reported was 3,452 comprising 56 cases of death, 149 cases of permanent disablement and 3,247 cases of temporary disablement. The compensation paid in the case of accidents resulting in death, permanent disablement and temporary disablement was Rs.27.070- 4- 0; Rs.48,073- 3- 0 and Rs.51,019- 0- 6 respectively.

Permission was given to the Calcutta Claims Bureau to submit returns on behalf of employers who had insured their liability under the Act. The total number of employers on behalf of whom insurance companies submitted returns through the bureau was 167.

A consolidated statement showing the total number of accidents reported and the compensation paid as reported by the employers is enclosed.

(ix) Accident reports- Fatal.-(a) There were 95 reports pending at the commencement of the year. One hundred and nine reports were received from the employers under section 10-B(1) of the Act and forty-three reports were received from the dependents of the deceased workmen. Of these 247 reports, 71 were lodged and compensation was deposited or awarded in 83 cases. The remaining 93 reports and petitions, were pending at the close of the year.

The Madras Civil Labour Units.- Fatal (b) Two reports were received during the year and compensation was paid in both the cases. Eleven cases of deposits, were pending distribution at the commencement of the year. Of these 13 cases of deposits, distribution was made in 11 cases and 2 were pending at the close of the year.

The Madras Labour Units for Ceylon - Fatal.-(c) Thirty-five reports were pending at the commencement of the year and twenty-three were received during the year. Forty-two reports were lodged, compensation was paid in thirteen cases and compensation has since been deposited in the remaining three cases.

(x) Accident reports-Non-fatal.-(a) One hundred and ninety reports were pending at the commencement of the year. Six hundred and thirty-three reports and petitions were received from the Inspectors of Factories, employers including heads of departments and workmen. Compensation was paid in

388 cases, 315 reports were lodged and 120 reports are pending at the close of the year.

The Madras Civil Labour Units-Non-fatal.-(b) Six reports were pending at the commencement of the year, and 53 were received during the year. Compensation was paid in 53 cases, three reports were lodged and three were pending at the close of the year.

The Ceylon Labour Units.-Non-fatal.- One report was pending at the commencement of the year and 7 were received during the year. Compensation was paid in all the cases.

(xi) Singareni Collieries-(a) Fatal.- No case was pending at the commencement of the year and no case was received during the year.

(b) Non-fatal.- Two cases were pending at the commencement of the year and two cases were received during the year. All the four cases were disposed of during the year. Compensation amounting to Rs.1,483-14-9 was paid in the four cases.

(xii) The total amount of compensation deposited with this Court during the year was Rs.1,69,638-1-0 as against Rs.2,42,189-13-6 deposited during the previous year. The statement below shows the opening and the closing balances, receipts and payments during the year:--

	Rs. A. P.
Opening balance including miscellaneous receipts	1,11,730-13-10
Deposits during the year ..	1,69,638- 1- 0
Receipts under the Workmen's Compensation Transfer of Money Rules ..	55,942- 1- 3
Miscellaneous receipts ..	9,730-12- 6
Total ..	3,47,041-12- 7
Disbursements including miscellaneous payments ..	1,93,651- 0- 7
Closing balance ..	1,53,390-12- 0

The closing balance agreed with the balance of Rs.1,53,390-12- 0 shown in the bank pass book.

The compensation allotted to workmen and persons under legal disability was as usual invested on their behalf in the Post Office Saving Bank and paid to them in instalments. There were 434 Post-Office Savings Bank accounts pending at the beginning of the year. One hundred and thirty-seven accounts were opened during the year and 109 accounts were closed during the year. The total number of accounts remaining open at the close of the year was 462. The total value of securities held by the Court at the close of the year was Rs.2,40,023-13-10. Of the 109 accounts closed during the year, 37 were closed as the amounts had to be invested in immovable properties. The total amount so invested was Rs.39,188-8-0.

No irregularity was pointed out in the report on the audit of accounts for the year 1946. The accounts for the year under report have not been audited, the result of the audit will be embodied in the next year's report.

(xiii) Appeals.- One appeal was pending at the commencement of the year. Three were filed during the year. All the four were pending at the close of the year.

General.- Final orders were passed during the year adding employment in loading and unloading mechanically propelled vehicles to Schedule II of the Act. In G.O.Ms.No.3140 Development, d/18-7-47, the following clause has been added to the schedule:-

(XVIII) Employed for the purpose of loading or unloading any mechanically propelled vehicle, or in the handling or transport of goods

which have been loaded into any such vehicle.

Government have been requested to add a new clause after clause (iii)(a) of the schedule, as shown below:--

"(iii)(b) employed otherwise than in a clerical capacity in beedi, cigar, snuff, tobacco grading and tobacco curing industries wherein ten or more persons are or have been employed on any one day of the preceding twelve month."

Enclosures....p.t.o.

RETUR

Registration of agreements by the Commissioner for workmen's compens

Applications for registration of agreements relating to:	Pending at commencement	Filed	Registered as filed	Registered after modifications
Payment of Compensation for Permanent disablement	42	229	219	
Payment of compensation for Temporary disablement	2	34	33	
Commutation of half monthly payments				
TOTAL:	44	263	252	-

- B -

ion, Madras for the year ending 31-12-1947

t- Registered		Total disposed of	Pending at conclusion.	REMARKS.
ade- acy.	Other causes			
-		219	52	43 since disposed of.
-	-	33	3	3 Since disposed of
-	-			
-	-	252-	55	

RETURN - C.

Proceedings before the Commissioner for Workmen's Compensation, Madras for the year ending 31st December 1947.

Number of adults in each wage class to whom or in respect of whose death compensation was awarded or disbursed (cases of review and commutation and cases relating to minor excluded).

More than	Not more than.	Temporary disablement		Permanent disablement		Fatal Accidents		Total Number.	
		Men	Women	Men	Women	Men	Women	Men	Women
..	10	-	1	-	-	1	2	1	3
10	15	-	3	7	1	7	1	14	5
15	18	-	1	8	1	7	-	15	2
18	21	-	4	13	-	5	2	18	6
21	24	-	5	23	2	7	-	30	7
24	27	-	2	20	1	11	-	31	3
27	30	-	2	25	-	24	-	49	2
30	35	-	2	25	-	13	-	38	2
35	40	-	4	24	-	8	-	32	4
40	45	-	3	31	-	9	-	40	3
45	50	-	1	22	-	10	-	32	1
50	60	-	2	26	-	9	-	35	2
60	70	-	3	16	-	6	-	22	3
70	80	-	-	11	-	4	-	15	-
80	100	-	-	7	-	2	-	9	-
100	200	-	-	5	-	2	-	7	-
200	300	-	-	-	-	-	-	-	-
300	..	-	-	-	-	-	-	-	-
TOTAL:		-	33	263	5	125	5	388	43

p.t.o.

Consolidated Statement showing the number of accidents reported and the compensation paid by employers during the calender year, 1947.

ESTABLISHMENTS.		Number employed	Number resulting in: Death	Permanent disablement.	Temporary disablement	Compensation paid for: Death	Permanent disablement.	Temporary disablement.
						Rs. A.	Rs. A.	Rs. As.
Factories	Adults	272,754	30	130	2,660	15,375- 2	40,697- 7	40,966-14
	Minors	7,212	-	-	~~44~~	- -	- -	~~2~~- -
Mines	Adults	9,193	-	-	44	- -	- -	205 7
	Minors	71						
Tramways	Adults	1,797			44	- -	- -	933 15
	Minors	Nil						
Port Trust or Comns.	Adults	5,142	-	4-	299	- -	892 8	3,407 13
	Minors	Nil						
Manufacturing or handling of Explosives	Adults	2,526	-	-	1	- -	- -	14 0
	Minors	~~1~~,152						
Estates	Adults	62,248	18	12	152	2,680 13	3,611- 4	3,606 14
	Minors	5,305						
Generating Transforming and supply of electric energy	Adults	11,018	8	3	47	9,014- 5	2,877- 0	1,884- 7
	Minors	978						
Total for 1947.	Adults	364,678	56	149	3,247	27,070- 4	48,078- 3	51,019- 6
	Minors	14,718						

p.t.o.

Cases not paid:-

Deaths:-7; Permanent disablement:-10; Temporary disablement:-19;

N.B: Returns were called for from 5,379 factories and establishments out of which 4,037 returns have been received. The Calcutta claims Bureau furnished returns on behalf of 167 employers. The total number of accidents reported were 3452. In the accidents reported, one case of death was due to natural causes and 13 died of malaria. 15 cases of temporary disablement were due to fever.

ORDER: 3352 Dev. dt. 21-6-48.

RECORDED.

(By Orders of His Excellency the Governor)

W.R.S. Sathianathan,
Secretary to Government.

To the Commissioner for Workmen's compensation
To the ~~Hxi~~ Hon. the Chief Justice
To the Examiner of Local Fund Accounts
To the Government of India, Ministry of Labour
To the Librarian, Madras Legislature.

(True copy)

R. Thiagarajan 12.7.48

Office Assistant,
Madras Record Office.

aj/18.9

BV 9/1 JV 9/1